



"Express Mail" mailing label number EV964285565US

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PATENT  
CASE NO. 10022/234

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application:	)	
	)	
Jeffrey A. Stocker et al.	)	
	)	Group Art Unit: 2178
Serial No.: 10/087,158	)	
	)	Confirmation No.: 2612
Filed: March 1, 2002	)	
	)	Examiner: Vaughn, Gregory J.
For: AUTOMATIC GENERATION	)	
OF PERSONAL HOMEPAGES	)	
FOR A SALES FORCE	)	

Mail Stop AF  
Commissioner for Patents  
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**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Applicants request review of the Final Office Action mailed on November 28, 2006 (hereinafter "the Final Office Action"), in the above-identified application as to Claims 1-3, 5-16 and 19-26. No amendments are being filed with this request. A Notice of Appeal is being filed concurrently and is included herewith. Review is requested for the reasons indicated in the following Remarks.

**REMARKS**

**A. Pinard, Graham and Chatani et al.**

**1. Claims 1-3 and 5-8**

Applicants traverse the rejection of claims 1-3, and 5-8 under 35 U.S.C. §103 as being unpatentable over Pinard et al. (U.S. Patent No. 5,940,834, hereinafter Pinard) in view of Graham et al. (U.S. Patent Publication No. 2004/0205537, hereinafter Graham), and in further view of Chatani et al. (U.S. Patent No. 7,047,302, hereinafter Chatani) (i.e., hereinafter the "Pinard-Graham-Chatani

combination"). In particular, independent claim 1 recites a computer system for generating personal homepages:

"wherein the personal homepage for said member is **disabled from any viewing on the Internet** when said **employment status** data indicates the member is not employed by an organization."

The Final Office Action has conceded at page 4 that the web page generating system of Pinard "fails to disclose a personal database that tracks the employment status of the member and using the status to affect the functionality of the system." The Final Office Action relies on Graham to cure the deficiencies of Pinard. In particular, the Final Office Action relies on passages at page 1, paragraph 12 and page 3, paragraph 32 of Graham as teaching the capture and use of employment status to control access to web pages. However, the Final Office Action has conceded at page 5 that "Graham's capture and use of employment status information to control functionality of the system fails to explicitly teach using the information to control access by disabling the web page from **any viewing** on the network."

Chatani fails to cure the deficiencies of Pinard in combination with Graham, in that Chatani does not suggest altering Pinard in combination with Graham to disable web pages from **any viewing** on the Internet based on employment status. The Final Office Action has asserted at page 5 that the passage at column 6, lines 29-32 of Chatani that recites "access software first checks, in accordance with feature 4 above, whether or not the user has elected to **disable viewing** of auxiliary content or not" describes the recited feature of claim 1 where a web page is disabled from **any viewing** on the Internet. As pointed out at pages 3 through 5 of Applicants' Response filed on September 6, 2006 (hereinafter "Applicants' Response"), the passage describes Chatani user access control as limited to the user electing whether content is disabled for **viewing by the user** (i.e., the same user). Chatani

recites at column 1, lines 54-56 allowing “customers to exercise choice in whether and when they wish to view auxiliary content.” Chatani recites at column 10, lines 1-11 that:

“In step 537, the system checks to see whether **the user has elected to permit playback of auxiliary content** contained on the detachable storage media 80. The ability to optionally choose or disable playback of auxiliary content can be provided by means of a control button on the game console, and such ability is generally made constantly available to the user at any time before or during playback of the requested primary content. If playback of auxiliary content is disabled, in Step 541 the primary content only is executed by the game console 70 **for viewing by the user.**”

In contrast to claim 1, Chatani clearly does not teach or suggest that a user may disable content from **any viewing**, but instead Chatani’s access control is limited to disabling **viewing by the individual user**. Therefore, although the Pinard-Graham-Chatani combination may teach or suggest using the employment status information of an individual to disable the same individual’s viewing of web pages, the combination clearly does not teach or suggest **disabling web pages from any viewing on the Internet**. Accordingly, the rejection is improper and should be withdrawn.

Applicants traverse the rejections of claims 2-3, and 5-8, which depend directly or indirectly on claim 1, and are therefore patentable for the reasons stated above with respect to claim 1.

**B. Pinard, Graham, Chatani and Kitain et al.**

**1. Claims 9-13**

Applicants traverse the rejection of claims 9-13 under 35 U.S.C. § 103(a) as being unpatentable over Pinard in view of Graham, in further view of Chatani in further view of Kitain et al. (U.S. Patent No. 5,864,871, hereinafter Kitain) (i.e., hereinafter the “Pinard-Graham-Chatani-Kitain” combination). In particular, the Applicants pointed out at pages 9 through 11 of Applicants’ Amendment filed on March 22, 2006 (hereinafter “Applicants’ Amendment”), that Kitain fails to teach or suggest disabling web pages from **any viewing** on the Internet.

Accordingly, the Pinard-Graham-Chatani-Kitain combination fails to disclose the limitations of independent claim 1, as the Applicants have pointed out above, from which dependent claims 9-13 depend directly or indirectly, where “the personal homepage for said member is **disabled from any viewing on the Internet** when said employment status data indicates the member is not employed by an organization.” Hence, dependent claims 9-13 are also allowable, and therefore patentable for the reasons stated above with respect to claim 1.

**2. Claims 14-16 and 19-26**

Claims 14-16, and 19-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pinard in view of Graham, in further view of Chatani in further view of Kitain (i.e., the “Pinard-Graham-Chatani-Kitain” combination). Applicants traverse this rejection. In particular, independent claim 14 recites a method of automatically generating customized personal Web homepages:

“automatically disabling the personal homepage for **any viewing on the Internet** when said updated personal data includes data indicating that the member is **not employed by the organization.**”

As the Applicants have pointed out above, and at pages 5 and 6 of the Applicants' Response, Kitain fails to teach or suggest disabling **any viewing** on the Internet. Therefore, the Pinard-Graham-Chatani-Kitain combination does not teach or suggest all the limitations of independent claim 14.

Applicants traverse the rejections of claims 15-16, and 19-26, which depend directly or indirectly on claim 14, and are therefore patentable for the reasons stated above with respect to claim 14.

The present pending claims of this application are not taught, suggested or disclosed by the Pinard-Graham-Chatani combination or the Pinard-Graham-Chatani-Kitain combination, and the third element to support a prima facie case of obviousness, namely that the cited prior art teach, or suggest each and every limitation included in the claims, is not fulfilled by the present rejections. (MPEP 2143.03) Applicants respectfully asserts that a clear legal and factual deficiency is present in the support for the present 35 U.S.C. § 103(a) rejections of the claims. Thus, Applicants respectfully request that the panel issue a decision so indicating.

Respectfully submitted,



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